

amendments, claims 1 and 8-10 have been amended. Claims 1-10 remain pending in the application and are believed to be in a condition for allowance. No new matter is added by any of these amendments. The order of the following paragraphs corresponds to the order of the Examiner's comments in the December 4, 2001 Office Action.

Drawing Objections

Formal drawings are being submitted with this amendment.

The Examiner objected to the drawings as failing to comply with 37 CFR 1.83 & 1.84. The Examiner's objections will be responded to in the order to appear in the Office Action. First, relative to character "36" being used to designate both a conductive cylinder and a sleeve, as noted above, the specification has been amended to more clearly identify character "36" as a hollow conductive cylinder (note, however, that by its physical geometry, a hollow cylinder can also be considered a sleeve). Second, as noted in the originally submitted drawings and specification (page 6, line 15), air gap "38" exists between stator 10 and rotor 16, whereas central opening 12 is shown in Figs. 1 and 2 as a central opening in stator 10. Third, because it is not mentioned in the specification, character 33 has been removed from the drawings. Finally, Applicants respectfully submit that the structure of claims 2, 8 and 9 are sufficiently detailed in figures 4-6 to show the features of the invention.

Based on the above remarks and submission of formal drawings, Applicants respectfully submit that all of the objections to the drawings have been overcome. No new matter is added by the submission of the formal drawings.

Claim Rejections – 35 USC §112

The Examiner rejected claims 7-9 under 35 U.S.C § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner's objections will be responded to in the order to appear in the Office Action. First, Applicants respectfully traverse the Examiner's rejection of claim 7. Applicants respectfully submit that one skilled in the art would know that a potting material is used to seal electrical components and can be

made of a single or many materials. Applicants' specification lists an epoxy resin as one example of a potting material (page 8, line 7). Second, as noted above, claims 8 and 9 have been amended to overcome the Examiner's rejection of these claims.

Given the above amendments and remarks, Applicants respectfully submit that all of the rejections under 35 U.S.C. §112, second paragraph, with respect to pending claims 7-9, have been overcome. No new matter is added by any of these amendments.

Claim Rejections – 35 USC §102(e)

The Examiner rejected claims 1-3, 5-7, 9 and 10 under 35 USC § 102(e) as being anticipated by Kawamura, U.S. Patent No. 6,144,130 ("Kawamura"). Specifically, noting that "Kawamura discloses stator 6, a rotor (see figure 1), a body of ferromagnetic material 58, spaced apart permanent magnets 53, a second cylinder 4 and end pieces sealed to second cylinder (see figure 1) and a conducting cylinder 54 (see figure 8)."

As noted above, claims 1 and 10 have been amended. Applicants respectfully submit that Kawamura does not disclose or suggest, inter alia, the use of a hollow conducting cylinder to accelerate the rotation of the rotor, as claimed by Applicants in amended claims 1 and 10. The outer surface of the rotor in Kawamura is concerned with mechanical integrity and/or manufacturability of the rotor (see columns 12 & 13 of Karamura). The fact that these surfaces can be resin based (i.e., non-conducting) demonstrates that Karamura does not disclose or suggest its use to accelerate the rotation of the rotor. As such, because Kawamura fails to teach or suggest the foregoing features, Applicants respectfully submit that claims 1 and 10 are in a condition for allowance and Applicants respectfully request withdrawal of the rejection under 35 USC §102(e). Additionally, as claims 2,3, 5-7 and 9, which depend either directly or indirectly from claim 1, these claims are also believed to be directed to patentable subject matter.

Claim Rejections – 35 USC §103(a)

The Examiner also rejected claims 2-4 and 8 under 35 USC § 103(a) as being unpatentable over Kawamura and further in view of Yashiro, U.S. Patent No. 5,168,186 (“Yashiro”).

As noted above, Applicants have amended claim 1. Applicants believe that the additional limitation added to claim 1 obviates the Examiner’s §103(a) rejection. 35 USC §103(a) requires that the prior art references teach or suggest all claim limitations. See MPEP § 2142, (August 2001). As noted above, the outer surface of the rotor in Kawamura is concerned with mechanical integrity and/or manufacturability of the rotor (see columns 12 & 13 of Karamura). The fact that these surfaces can be resin based (i.e., non-conducting) demonstrates that Karamura does not disclose or suggest its use to accelerate the rotation of the rotor. Yashiro also does not disclose or suggest the use of a hollow conductive cylinder to accelerate the rotation of the rotor. Because the prior art fails to disclose or suggest all of the claim limitations, it follows that such claim is not rendered obvious thereby.

Accordingly, Applicants believe that claim 1 (as amended) is directed to patentable subject matter and withdrawal of the rejection under 35 USC § 103(a) as being unpatentable over Kawamura in view of Yashiro is respectfully requested. Further, Applicants respectfully submit that claims 2-4 and 8, which depend either directly or indirectly on claim 1 are thus also directed to patentable subject matter.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that all of the claims pending in this application, namely claims 1-10, are in a condition for allowance.

Authorization is hereby given to charge any fees necessitated by this amendment to Deposit Account 08-0385.

Should the Examiner believe that a telephone call or personal interview might facilitate resolution of any remaining matters, Applicants' attorney may be contacted by telephone at the number indicated below.

Respectfully submitted,

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